GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Municipal Administration & Urban Development Department – Allegations leveled against Sri S.Govinda Swamy, the then Municipal Commissioner (Retd.), Vizianagaram Municipality, Vizianagaram District, as he has made payment for excess quantities of provisions without approval of deviation statement / working estimate in the Work No.1 of Vizianagaram Municipality - Departmental Proceedings under Rule 9 of A.P.Revised Pension Rules, 1980 read with Rule-20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Article of Charges - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 89 **Dated: 07-02-2019**

Read the following:-

1. From the Director General, G.A.(V&E) Department, Alert Note No.181 (C.No.549/V&E/E/2014), dated 29.11.2016.
2. G.O.Rt.No.903, M.A. & U.D.(Vig.I) Department, dated 19.09.2018.
3. G.O.Ms.No.55, M.A. & U.D. (Vig.I) Dept., dated: 07.02.2019.

* * *

O R D E R:

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the A.P.Revised Pension Rules, 1980 for instituting departmental proceedings against Sri S.Govinda Swamy, the then Municipal Commissioner (Retd.), Vizianagaram Municipality in the reference 3rd read above, it is proposed to hold an inquiry against the said Sri S.Govinda Swamy, the then Municipal Commissioner (Retd.), Vizianagaram Municipality in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set-out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom, the articles of charges proposed to be sustained are also enclosed in Annexures III & IV.

3. Sri S.Govinda Swamy, the then Municipal Commissioner (Retd.), Vizianagaram Municipality is directed to submit his written statement of his defense within (10) days from the date of receipt of this order.

4. Sri S.Govinda Swamy, the then Municipal Commissioner (Retd.), Vizianagaram Municipality is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri S.Govinda Swamy, the then Municipal Commissioner (Retd.), Vizianagaram Municipality is further informed that if he does not submit his written statement of defence on or before the date specified in para (3) above further action will be processed based on the material available.

6. Attention of Sri S.Govinda Swamy, the then Municipal Commissioner (Retd.), Vizianagaram Municipality is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these

(P.T.O.)

proceedings it will be presumed that above Sri S.Govinda Swamy, the then Municipal Commissioner (Retd.), Vizianagaram Municipality is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The Director of Municipal Administration. A.P. Guntur is directed to furnish the copies of documents as per Annexure-III to Sri S.Govinda Swamy, the then Municipal Commissioner (Retd.), Vizianagaram Municipality.

8. The receipt of G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri S.Govinda Swamy, the then Municipal Commissioner (Retd.),
Vizianagaram Municipality **through** the Director of Municipal Administration, A.P., Guntur.
The Director of Municipal Administration, A.P., Guntur.

Copy to:

The G.A. (V&E) Dept., A.P., Vijayawada.
The Secretary to A.P.Vigilance Commission, 5th Building, A.P. Secretariat.
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER

Annexure –I to G.O.Rt.No.89,M.A. & U.D. (Vig.I) Dept., dated 07.02.2019.

ARTICLES OF CHARGES FRAMED AGAINST SRI. S.GOVINDA SWAMY, THE THEN MUNICIPAL COMMISSIONER (RETD.), VIZIANAGARAM MUNICIPALITY.

* * *

Charge.No.1:

That Sri S.Govinda Swamy, the then Municipal Commissioner (Retd.), Vizianagaram Municipality has made payment for excess quantities of provisions without approval of deviation statement/working estimate in the Work No.1.

Charge.No.2 :

That Sri S.Govinda Swamy, the then Municipal Commissioner (Retd.), Vizianagaram Municipality with the above mentioned acts has exhibited lack of integrity, devotion to duty and conduct, unbecoming of a member of service and thereby contravened Rule 3 of A.P.C.S.(Conduct) Rules, 1964.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

Annexure –II to G.O.Rt.No.89,M.A. & U.D. (Vig.I) Dept., dated 07.02.2019.

STATEMENT OF IMPUTATIONS OF MISCONDUCT/MISBEHAVIOUR IN SUPPORT TO THE ARTICLES OF CHARGES FRAMED AGAINST SRI S.GOVINDA SWAMY, THE THEN MUNICIPAL COMMISSIONER (RETD.), VIZIANAGARAM MUNICIPALITY.

* * *

Sri S.Govinda Swamy, the then Municipal Commissioner, Vizianagaram has made payment for excess quantities of provisions without approval of deviation statement/ working estimate in the Work No.1. He has submitted his version regarding Work No.1 that, the quantities executed in excess to the agreement quantities, the Municipal Executive Engineer approved the deviation statement and payment was made accordingly.

The Executive Engineer is not competent to approve the deviation statement for a work, as its original estimate was technically approved by the Superintending Engineer. If the Department thinks it necessary to provide excess steel than the required, they should have provided in the estimate itself. Providing excess steel, without proper design and approval from the competent authority is irregular. The Municipal Commissioner made payment without observing the above irregularity. Hence, his statement is not acceptable.

Thus, the charges.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

Annexure –III to G.O.Rt.No.89,M.A. & U.D. (Vig.I) Dept., dated 07.02.2019.

LIST OF DOCUMENTS UPON WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI S.GOVINDA SWAMY, THE THEN MUNICIPAL COMMISSIONER (RETD.), VIZIANAGARAM MUNICIPALITY.

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1. Director General, G.A.(V&E) Dept., Alert Note No.181 (C.No.549/V&E/E/2014), dated 29.11.2016.

2. Govt. Memo. No.426892/Vig.I(1)/2016, MA & UD (Vig.I) Dept., dated 06.08.2018.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

Annexure –IV to G.O.Rt.No.89,M.A. & U.D. (Vig.I) Dept., dated 07.02.2019.

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI S.GOVINDA SWAMY, THE THEN MUNICIPAL COMMISSIONER (RETD.), VIZIANAGARAM MUNICIPALITY.

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NIL

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER